

"The consequences of federal land management along the U.S. Border to rural communities and national security"

House Natural Resources Oversight and Investigations Subcommittee
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My name is Susan Chilton. I am a retired Arizona Game and Fish Commissioner. I chaired the Commission from 2004-2005 and am currently chairing the state board that reviews applications for the Commissioner's position and sends finalists' names to the governor for appointment. I have been an educator for more than five decades and an active amateur student of Arizona wildlife, southern Arizona wildlife habitats, and range botany.

My husband and I live near the historic borderland cattle ranching community of Arivaca, Arizona approximately 55 miles southwest of Tucson, Arizona. Our ranch is adjacent to the town of Arivaca and continues south to the international boundary with Mexico. Our fence at the southern edge of our family ranch is the international boundary. There is no wall, only a four-strand barbed wire fence--easily cut or crawled through in seconds. For a total of 25 miles east and west, that same little wire fence is all that separates us and our neighbors from armed Sinaloa drug cartel operatives who pass easily through that open door.

We and our ranch neighbors live in a no-man's land essentially ceded to Cartel control. Our town's main road is the de facto international boundary even though it is about 20 miles north of the actual border. Why?

The two Border Patrol stations responsible for different parts of our ranch are headquartered in Nogales and Tucson; the officers spend hours of their working day on Interstate 19 getting from their headquarters to the Border Patrol checkpoints, including the closest one on Arivaca Road about 20 miles northeast of our home. They spend some time driving east and west on Arivaca Road and a lot of time at the checkpoint. They are implementing the strategy known as **Defense in Depth**. That means that all of the hundreds of square miles of borderlands north of the unsecured international boundary between Nogales and Sasabe and south of Arivaca Road where we and our neighbors live are basically entrance routes controlled by Sinaloa Cartel-paid scouts.

Cartel scouts are supplied with military-grade equipment and a salary. They move from one site to another according to Cartel strategy using mountains on our ranch and on those of our neighbors. Border Patrol removes them at times--with difficulty--but the scouts or their replacements quickly return to a new mountain-top assignment. The scouts guide the movement of people and drugs right through this no-man's land.

Drug packing groups are directed across the unsecured boundary and along hundreds of trails through ranch pastures from Mexico north to GPS'd sites. At those ever-changing sites, the "merchandise" being imported to the lucrative American addiction market will be picked up by

Cartel-connected operatives from Tucson or Phoenix. The imported drugs will undersell competing drugs made or grown in the United States because raw material costs in Mexico for ingredients for meth or other illegal drugs and taxes, security, licensing, and accountancy and reporting costs for marijuana will cause the "domestic product" to be more expensive than the illegally imported version.

After depositing their loads, the packers become "south-bonders" headed back to Mexico. Some of these south-bonders commit assaults, home invasions and burglaries to acquire items they can carry back. We have been burglarized twice with major losses of irreplaceable items.

Why is it difficult for the Border Patrol to actually be at the border and close this well-known entry route?

1) Border Patrol has faced NEPA obstacles to upgrading the barely passable ranch roads leading south from Arivaca to the actual border. Recent declaration of critical habitat for the jaguar--a tropical cat--along this drug importation corridor by the USFWS created further barriers to road improvement and to installation of other facilities needed by the Border Patrol.

Critical habitat for the jaguar is, in our opinion, a transparent ruse: the very few wandering jaguars reported anywhere in Arizona since the 1940's have been lone males exiled from their northernmost outpost 150 miles south of the border and thousands of miles from their core habitat. Not one female has been documented as present in 65 years.

How does this critical habitat ruse affect border control? In December, we took Commander Beeson of the Tucson Sector Border Patrol to our border corrals in what the Border Patrol knows is an active entry zone and then drove over the ranch roads to our neighbor's border ranch just about 5 air miles west of us--another very active entry zone; it took three hours to get from our corrals to theirs following the only road because there is no road paralleling the border along this drug importation route. Meanwhile, approval for road improvements the Border Patrol deems essential, would certainly trigger lawsuits supposedly on behalf of wildlife like the jaguar. The "wildlife" that would actually be delighted by their efforts is a criminal outfit headquartered in Sinaloa, Mexico.

2) Border Patrol has no forward operating bases in this Cartel route so the time delay for reporting to the actual border on our ranch or that of our neighbors from either Nogales or Tucson is between two and three hours. We have taken numerous high ranking Border Patrol officers to our property at the border, shown them our private land with water, good sites for portable facilities and corrals for their horse patrol and offered them the use of this land for a one dollar (\$1.00) lease per year so they can have a forward operating base at a known incursion pointmy husband has offered to lend them the dollar if they can't afford it.....Years have passed and there is no action of which we are aware on this offer.

3) In addition to the mobility limits of the lack of functional roads, Border Patrol officers do not have reliable communications when in this no-man's land so they can not call for assistance when needed. Last week, after first taking two journalists to two lengthy unfenced rural sections of the boundary, we then took them to the west end of the wall in Nogales to see the difference.

They needed to personally see where the city wall ends and where the unsecured 25 miles begins. An event occurred along the Nogales wall road right in front of us; we stopped our truck and watched as three Border Patrol vehicles, called in by the patrolling officer who spotted the suspicious incursion, came flying down the road in less than five minutes, stopped the vehicle and got the occupants out. That was possible because they have a wall in Nogales, excellent communications capability there, and full time patrolling along on the very functional road next to the wall.....right up to the point where it abruptly ends and the little 25-mile four-strand wire fence begins.

4) Electronic devices and drone surveillance alone are totally inadequate because, as the just-retired Patrol Agent in Charge of the Tucson BP Station told us, "Even when I can see what is happening, I can't get there."

What are some specific consequences to us of the failure of federal agencies to prioritize and implement effective border control?

Human impacts

1) Residents who live and work in this no-man's land are exposed to encounters with heavily armed, meth-intoxicated drug packers; in addition to the burglaries we have suffered, we have rancher friends who were held hostage and robbed and forced to drive the invader to the border just last year and neighbors whose 15-year old daughter was the target of home invading south-bounders in March of this year.

Other neighbors, some of whose ranches had been in their family for more than a hundred years, gave up in the face of constant harassment by drug packing criminals and damage and thefts by south bounders and sold out to the U.S. Fish and Wildlife Service's borderland refuge. The current failed "defense in depth" strategy--which essentially puts the Border Patrol 20 or more miles north of the boundary and the Cartel at the line of scrimmage--effectively converted the formerly productive ranches into a tax-payer financed enlargement of the safe-passage zone for drugs.

2) Recreationists are confronted with road signs put up by the Forest Service warning them that they may encounter illegal activities and smuggling throughout the portions of this unsecured drug route within the Coronado National Forest; Arizona Game and Fish publishes explicit warnings alerting hunters of dangers they may encounter while hunting near the border; many people are reticent to hunt, fish, bird-watch, or family camp on formerly popular Coronado National Forest sites in the open drug corridors.

3) Would-be workers from Mexico or other nations are forced to pay the Cartel guides. Many of these poor people, especially women, suffer horrendous abuses, including deaths numbering over 2000 bodies found in the Tucson Sector of the border since 1996, rape, murder, and mutilation. Additionally, some groups, after paying thousands of dollars to the Cartel to be "guided" may be used as decoys to distract authorities and facilitate higher value drug packing. Just a few months ago, one individual--reportedly with a drug packing group--was incinerated nine miles north of the border and just west of our ranch; the official--and highly improbable--story circulated about this death is that he was "trying to charge his cellphone by throwing a wire

over a high power line." This is another example of a known recent death directly connected to the failure to secure the border. The official story raises the question of whether it is also possibly an example of agency policy to attribute deaths to accident, suicide or the stupidity of the victim rather than to failure to secure the border.

4) Border Patrol officers working these areas face war-like risks. Rip crews setting out to hijack Cartel contraband engage in fire fights with drug packers or Border Patrol agents pursuing them. One such situation to which the Border Patrol responded resulted in the murder of Officer Brian Terry. The canyon in which he was killed is a well-known Cartel route in this no-man's land. It is just east of our pastures and on a neighboring ranch.

Environmental impacts

1) Wildfires--some growing to 100s of millions of dollars in damage to homes, ranchlands and businesses in border communities--are deliberately ignited by drug packers if they are pursued by Border Patrol; fire personnel reporting to a near-by fire which had begun spreading onto our home pasture told us they "couldn't stay there fighting the fire at night because the area was too dangerous." My husband kept fighting it.....Hotshot firefighters on some borderland fires have armed guards as part of their contingent.

2) Trash--an appalling amount has been dropped on the Coronado National Forest, the Buenos Aires Refuge, the Pajarito Wilderness, State School Trust lands and private ranch lands all in this open corridor and all crossed by trails from Mexico used by the Cartel groups. A conservative total of trash dumped on this drug route to the U.S. is estimated at 12,750 tons between 1992 and 2015 using the Border Patrol's own figure of 8.5 pounds per entrant and multiplying only by the number of individuals reported as apprehended. This figure can easily be tripled since most experts and independent reports indicate that few south-bounders are apprehended and reliable figures are not available for the pre-2008 period when larger numbers of work-seekers used this route.

3) Cut water lines--we maintain many water lines and drinkers for both livestock and wildlife. These are essential since natural water is almost non-existent during the dry months of the year. We put escape ramps on the waters so wildlife does not drown and drinking fountains on many so people can drink--we don't want anyone to die of thirst here. However, drug packers often cut the water lines which results in the loss of thousands of gallons of water and the dry-up of drinkers essential to both wildlife and livestock. This is an on-going maintenance cost and the lack of water if a tank is emptied can be fatal for cattle, wildlife or people.

4) Cut fences mean cattle from Mexico can walk into the U.S. and ours can wind up in Mexico or wander into pastures that are not the ones scheduled for that rotation. The grazing rotation is carefully designed in collaboration with the Forest Service and based on university range research to ensure the best re-growth and production of forage, quality riparian conditions, and habitat for our wildlife. The drug packers cause much loss of time and labor getting cattle back into the proper pasture and repairing the cut fences; additionally and importantly, they undermine the scientific research and monitoring that informs our grazing management and that of our neighbor ranchers.

National Impacts

1) Citizens across this Nation will continue to bear the increasing cost of cheap, wide-spread drug addiction resulting from the failure to control our borders, of drug-damaged babies born to meth-using mothers and of the growing impact of heroin and other drugs on the health and well-being of our communities; the human and civic damage is every bit as terrible as a bombing attack--it's just not as explosive, concentrated and easily visually conveyed with photography.

2) National Security--it is only a matter of time until would-be terrorists realize what the Cartel has already realized: this un-walled, minimally patrolled section of the border is welcoming them.

What do we know? We know the international boundary with Mexico is not secure and that drug packers are coming right through our property because we and others maintain hidden trail cameras that record reality; we--and the journalists to whom we show these photographic records of heavily laden drug packers and of south-bounders tossing incendiary devices to create a fiery barrier as they are pursued--cannot be told that the "border is secure" nor can we feel safe when we or our loved ones are working in pastures near the border.

What do we need? First, technology is NOT sufficient. We need:

- 1) A good wall with full-time patrolling to replace the current open, unsecured 25-mile gap between Nogales and Sasabe
- 2) Forward Operating Bases manned like fire stations 24/7
- 3) Functional roads to the border and along the new wall--a wall is of little use if the Border Patrol is no where around and can't get to the incursion--.
- 4) Prompt waiving or constructive dealing with issues of "wildlife connectivity and endangered species" that are currently abused to supersede national security;
- 5) Better communications and quick response capability for the Border Patrol
- 6) A feasible worker permit program which adequately vets temporary laborers and provides them with documents, appropriate worker protections, the right to come and go, and a legal, safe alternative to trying to get to a job by paying the Cartel and suffering horrible treatment at the hands of the criminal operation.

These six essential requirements, supplemented by technology, would close this 25-mile open door before more human tragedies and national security threats bring us to our senses. We thank you for understanding that the smokescreen of cost obscures the much greater cost of deciding NOT to secure the border.